



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
WATER RESOURCES DEPARTMENT

NOTIFICATION

The 30th November, 2023

No. WR(E) 396888/10.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to make the following rules regulating the recruitment and the conditions of service of the persons appointed to the Assam Junior Engineering (Water Resources Department) Service.

Short title and commencement	1.	(1) These rules may be called the Assam Junior Engineering Service Rules, 2022. (2) They shall come into force on the date of their publication in Official Gazette.
Definitions	2.	In these rules, unless there is anything repugnant in the subject or context,- (a) 'Appointing Authority' means the Governor of Assam; (b) 'Board' means the Selection Board constituted under rule 13; (c) 'Commission' means the Assam Public Service Commission; (d) 'Constitution' means the Constitution of India; (e) 'Government' means the Government of Assam; (f) 'Governor' means the Governor of Assam; (g) 'Member' means a member of the Assam Junior Engineering Service; (h) 'Select list' means the list as referred to in Sub-Rule (5) of rule 6 and sub-rule(10) of rule 12; (i) 'Service' means the Assam Junior Engineering Service; and (j) 'Year' means a Calendar year i.e. from January to December.

Class and Cadre	3.	(1) The service shall consist of the following Class-II cadres:- (i) Junior Engineer (Civil) and (ii) Junior Engineer (Mechanical).
	(2)	The service may also include- (i) Any post equivalent to a post in any of the cadres mentioned in sub-rule(1), and (ii) Any cadre or post laid down by the Government to be included in a cadre of the service.
Strength of Service	4.	The strength of each cadre in the class of the service shall be such as may be determined by the Governor from time to time. The strength of the cadres of the Service on the date of commencement of these rules shall be as shown in Schedule-I. Provided that the Governor may hold in abeyance any post as and when considered necessary.
Method of Recruitment	5.	Recruitment to the service shall be made in the manner prescribed herein after – (1) 90% of the cadre strength of Junior Engineer (Civil/ Mechanical) shall be made by direct recruitment on the basis of selection in accordance with rule 6; and (2) 10% of the cadre strength of Junior Engineer (Civil/ Mechanical) shall be filled up by promotion in accordance with rules 11 and 12 from Subordinate Engineer(Grade-I).
Direct Recruitment	6.	Direct recruitment shall be made in the cadre of Junior Engineer and it shall be subject to the provision of sub-rule (2) of rule 11 on the basis of recommendation made by the Commission in accordance with the procedures hereinafter provided : (1) Before the end of each year the Appointing Authority shall make an assessment regarding the likely number of vacancies to be filled up by direct recruitment during the next year and shall intimate the same to Commission together, with latest Service Rules and the details about the reservation of the candidates, belonging to the Schedule Caste, Schedule Tribe or any other category as laid down by Government as provided under Rule-15. (2) The Appointing Authority shall simultaneously request the Commission to recommend a list of candidates for direct recruitment in order of preference subject to the condition that the candidate must be a permanent resident of Assam. For proof of permanent resident, the candidate or his/ her parents must be voter of Assam. The Voter Identity Card of the candidate or his/ her parents may be treated as proof of permanent resident. (3) The Commission shall prepare a list of all candidates who qualify in order of merit in accordance with the aggregate marks obtained by each candidate in the

Test/Interview. If two or more candidates obtain equal marks the Commission shall arrange them in order of their relevant merit which shall be determined in accordance with the general suitability of the candidates to the service. The list shall be forwarded to the Appointing Authority.

- (4) The Commission shall furnish to the Appointing Authority a list of candidates recommended by it in order of preference, found suitable for direct recruitment. The number of candidates in such list shall be equal to the number of vacancies notified.
- (5) The Commission shall simultaneously publish the list in the Assam Gazette and or at such other place the Commission may considered proper.
- (6) The list mentioned in sub rule (4) & (5) of this rule shall remain valid for 12 calendar months from the date of recommendation.
- (7) In the event of the Commission being unable to recommended sufficient number of candidates to fill up the vacancies in a year, it shall in consultation with the Appointing Authority, repeat the procedure as mentioned herein before under sub-rule (1) of this rule, for recommending a subsequent list in the year.

Provided that the Appointing Authority shall not make appointment of any candidate of Junior Engineer from the subsequent list until all the candidates of earlier list of the same year, eligible for appointment, have been offered the appointment Qualification for Direct Recruitment.

Age	7.	Age of a candidate for direct recruitment shall not be less than 18 years of age and more than 38 years of age on the 1 st January of the year of advertisement with relaxation in case of candidates belonging to special categories like Scheduled Caste, Scheduled Tribes and any other categories as laid down by Government in accordance with Government notification issued from time to time.
Academic Qualification	8.	The academic qualification of a candidate for direct recruitment on the date of commencement of this rule shall be as prescribed in Schedule II.
Physical Fitness	9.	A candidate for direct recruitment shall be ,--- <ol style="list-style-type: none"> (1) of sound health, both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his/her duties; and (2) required to undergo medical examination before appointment to the service and furnish medical certificate of the State Health & Family Welfare Department before joining.
Character	10.	A candidate for direct recruitment shall produce to the Commission certificates of good character from –

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| Recruitment by promotion | 11. | (1) the Principal/Academic Officer of the University or College or such educational institutions in which he studied last and |
| | | (2) two respectable persons, who are well acquainted with (but not related to) the candidate. |
| | | Subject to suitability as may be decided by the Board and by the Appointing Authority in consultation with the commission, an officer belonging to the cadre of Subordinate Engineer (Grade-I) and possessing the qualification as set forth herein below shall be promoted to the cadre of Junior Engineer in the manner provided in Rule 12 and 13 :- |
| | | (1) The percentage of vacancies in a cadre occurring in the year to be filled up by promotion shall be 10% of the total cadre strength of the post of Junior Engineer to be filled up by way of promotion from the cadre of Subordinate Engineer, (Grade-I). |
| General procedure of promotion | 12. | (2) For promotion to the cadre of Junior Engineer from the cadre of Subordinate Engineer, (Grade-I), a member shall be eligible if he/she has :- |
| | | (i) rendered minimum 10 (ten) years continuous service in the corresponding lower cadre from which the promotion is to be made; |
| | | (ii) he/she has passed at least the HSLC Examination or equivalent Examination recognized by Government; and |
| | | (iii) successfully undergone the training and has passed the Departmental Examination as prescribed by the Government from time to time. |
| | | (1) Before the end of each calendar year, the Appointing Authority shall make an assessment of the likely number of vacancies likely to be filled up by promotion in the next year in each cadre. |
| | | (2) The Appointing Authority shall then furnish to the Selection Board the following documents and information with regard to as many officers in order of seniority as are eligible for promotion as assessed under Rule 11,- |
| | | (a) Information about the number of vacancies; |
| | | (b) List of incumbents in order of seniority eligible for promotion (separate list for promotion to different cadre shall be prepared) indicating the cadre to which the case of promotion is to be made; |
| | | (c) Position of Annual Confidential Report and Performance Report for last 5 years; |
| | | (d) Details about Reservation in case of promotion to the service as per prevailing rules at the time of selection for promotion; |
| | | (e) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Board. |

- (3) The Appointing Authority shall simultaneously request the Board to recommend within one month a list of officers, found suitable for promotion in order of preference, in respect of promotion to each of the cadres in which recruitment is to be made by promotion.
- (4) The selection shall be made on the basis of seniority with due regard to merit in case of promotion stated under rule 11.
- (5) The Board after examination of the documents and information furnished by the Appointing Authority shall recommend to the Appointing Authority a select list of officers against the number of vacancies, in order of preference, found suitable for promotion.
- (6) The Appointing Authority on receipt of the select list recommended by the Board for promotion to the cadre of Junior Engineer along with Annual Confidential Report and Performance reports/personal files of the employees shall, consider the list unless its considers any change necessary. If the Appointing Authority considers it necessary to make any change in the list received from the Selection Board, he shall inform the Selection Board of the changes prepared and after taking into account the comments if any, Selection Board may approve the list finally with such modification, if any as may, in his opinion, be just and proper.
- (7) The Appointing Authority shall forward the list to the Commission together with the information and documents as referred to in sub-rule (2) of Rule 12 of this rule with a request to approve the list.
- (8) The Commission shall consider the lists recommended by the Selection Board together with the information and documents and information as may be requested by the Commission and obtained from the Appointing Authority. The Commission shall finally approve the list with such modification if any, as it considers just and proper.
- (9) The inclusion of a candidate's name in a select list shall confer no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate is suitable for promotion.
- (10) The list finally approved by the Commission shall be published by the Appointing Authority within 15 days from the date of approval.
- (11) The select list shall remain valid for 12 calendar months from the date of approval by the Commission.
- (12) The promotion shall be in accordance with lists finally approved.
- Selection Board (13) The Selection Board, as referred to in Rules 11 and 12 shall consist of the following members, namely:---
 - (1) Secretary, Water Resources - Chairman.
Department

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| | (2) | Representative(not below the rank of Deputy Secretary) from Personnel Department | - Member. |
| | (3) | Representative from Welfare of Plain Tribes & Backward Classes Department(not below the rank of Deputy Secretary) | - Member. |
| | (4) | Chief Engineer, Water Resources Department | - Member |
| | (5) | Deputy Secretary (I), Water Resources Department. | - Member Secretary |
| Disqualification | (14) | (1) No person shall be eligible for appointment to the service—
(a) Unless he/she is a citizen of India; and
(b) If he has more than one wife living or in case of a female candidate who has married a person who already has one wife living :
Provided that the Governor may, if he is satisfied that there is a special ground for doing so, exempt any person from the operation of this clause.
(c) If he has more than two living children.
(2) No person who attempts to enlist support for his candidature directly or indirectly by any recommendation, either written or oral or by any other means, shall be appointed to the service.
(3) No person convicted by a Court of law shall be appointed to the service. | |
| Reservation | (15) | In all cases of appointment by direct recruitment as well as by promotion there shall be reservation in case of candidates belonging to the member of Scheduled Castes, Scheduled Tribes as per the provision of the Assam Scheduled Castes and Scheduled Tribes (Reservation of Vacancies in Service and Posts) Act, 2012 and Rules framed there under and its subsequent amendment. There shall be also reservation for candidates belonging to Other Backward Classes as per Government instructions contained in O.M. No. TAD/OBC/1/2004/55 dated.31/05/2005 for direct recruitment only. Reservation in favour of women as per the Assam Women (Reservation of vacancies in service and posts) Act, 2005 and Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation Act, 1995) shall also be followed in direct recruitment. General orders in respect of reservation in favour of other categories of candidates as may be in force for time being, shall also be followed. | |
| Appointment | (16) | (1) Subject to the provision of Sub-Rule (2) of this rule, appointment under Rule 6 shall be made by the Appointing Authority in accordance with the order of preference determined by the Commission in the list referred to in sub-rule (3) and (4) of Rule 6.
(2) The inclusion of a candidate's name in the list mentioned in sub-rule (4) of Rule 6 shall confer no right to | |

		appointment unless the Appointing Authority is satisfied after such enquiry as prescribed by the Government from time to time and also, as may be considered necessary, that a candidate is suitable in all respects for appointment to the service.
Joining time	(17)	A person shall join within 15 days from the date of receipt of the order of appointment, or of promotion, failing which the appointment shall be cancelled unless the Appointing Authority extends the period, which shall not, in all, exceed three months.
Training	(18)	A person of the Service shall be required to undergo such training and pass such departmental examination as Government may prescribe.
Discharge or reversion	(19)	A temporary or officiating member shall be liable to be discharged or reverted to the lower cadre of the service or to his original services, if- <ol style="list-style-type: none"> (i) He/she fails to make sufficient use of the opportunities given during any training as may be prescribed by the Government from time to time, fails to render satisfactory service during his tenure service in the cadre; and/or (ii) It is found on a subsequent verification that he was initially not qualified for the appointment or that he had furnished any incorrect information with regard to his appointment.
Seniority	(20)	<ol style="list-style-type: none"> (1) The seniority of a member in a cadre appointed by direct recruitment or by promotion shall be determined according to the order of preference in the respective list recommended by the Commission/Board under Rule 6 and Rule 12 also in the respective list finally approved by the Appointing Authority, if he joins the appointment within 15 days from the date of receipt of the order or within the extended period. (2) If a member fails to join the appointment within the initial 15 days of receipt of the order or within the extended period, as mentioned in Rule 17, but joins later, his seniority shall be determined in accordance with the date of his joining. (3) A member appointed by promotion in a year shall be senior to a member appointed by direct recruitment in that year.
Probation & Confirmation	(21)	<ol style="list-style-type: none"> (1) Subject to availability of a permanent vacancy in the respective cadre, a member shall be placed according to seniority on probation against the permanent vacancy for a period of two years before he is confirmed against a permanent vacancy: <p>Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority for any specified period not exceeding a period of two years.</p> <p>Provided further that the period of probation may be</p>

- curtailed or dispensed with in any case for good and sufficient reasons by the Appointing Authority.
- (2) A member of the service placed on probation under sub-rule (1) shall be confirmed against the permanent vacancy subject to the following conditions:-
- (a) He/she has completed the period of probation to the satisfaction of the Appointing Authority in accordance with sub-rule (1).
- (b) He/she successfully undergone the training and passed the departmental examination, if any, prescribed by Government under Rule 18.
- (3) If confirmation of a member is delayed on account of his failure to qualify for such confirmation he shall lose his position in order of seniority vis-a-vis such of his junior as might be confirmed earlier than him. His/her seniority shall, however, be restored on his confirmation subsequently.
- Gradation List (22) There shall be prepared and published every year a gradation list containing the names of all members of the service, cadre-wise in order of seniority and such other particulars as the date of birth, date of appointment, joining etc.
- Pay (23) All appointment in the service shall be made in the time scale of pay as may be prescribed by the Govt. from time to time. The scales of pay of the posts in the cadres of the service, on the date of commencement of these Rules are as shown in Schedule-I of these rules.
- Mode Of Employment (24) (1) Members of the Service shall be employed in such manner as the Appointing Authority may decide.
- (2) A member of the Service shall be liable to be posted anywhere within the State of Assam or outside Assam, or to any other department of the Govt, a body corporate in the affairs of which the Govt. may be substantially interested or any Autonomous District Council, if so required in the interest of Public Service and in such cases the member shall not have any option against such posting or transfer.
- Other Conditions Of Service (25) (1) Except as provided in these rules, all matters relating to pay and allowances, leave, pension, discipline and other conditions of service shall be regulated by the general rules and orders of the Government for the time being in force.
- (2) The conditions of service of the members, in respect of matters for which no provision has been made in these rules, shall be the same as are, for the time being, applicable to other officers of the Government, of the corresponding status and having similar function.
- Relaxation (26) Where the Government is satisfied that the operation of any of these rules cause undue hardship in any particular case, it may, dispense with or relax the recruitment of

that rule to such extent and subject to conditions as it may consider necessary for dealing with case in a just and equitable manner:

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided in these rules.

Interpretation (27)

If any question arises relating to the interpretation of these rules the decision of the Government shall be final.

Repeal And Savings (28)

The rules corresponding to these rules and in force immediately before commencement of these rules, are hereby repealed:

Provided that all orders made or action taken under the rules so repealed or under any general orders ancillary thereto shall be deemed to have been validly made or taken under the corresponding provision of these rules.

SCHEDULE – I

(See rules 4 and 23)

STRENGTH OF THE SERVICE AND SCALE OF PAY

Sl. No.	Category of Posts	Scale of Pay as per R.O.P. Rule -2017	Cadre strength
1	Junior Engineer (Civil)	PB-2-14000-49000 GP-8700/-	385 Nos.
2	Junior Engineer(Mechanical)	PB-2-14000-49000 GP-8700/-	36 Nos.

SCHEDULE – II

(See rule 8)

For the post of Junior Engineer (Civil/Mechanical), a candidate must have passed 3 (three) years Diploma Course in the respective Branch of Engineering from an Institute recognized by the Government.

SYEDAIN ABBASI,

Additional Chief Secretary to the Government of Assam,
Water Resources Department.